

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5311

STATE OF NEW JERSEY

DATED: OCTOBER 15, 2026

The Assembly Judiciary Committee reports favorably Assembly Bill No. 5311.

This bill modifies procedures for parole release, early discharge from parole, and penalties for certain parole violations.

Standard for Parole Eligibility and Revocation

Under current law, an adult incarcerated person who is not eligible for administrative parole release is to be released on parole at the time of primary parole eligibility, unless information supplied in the hearing report indicates by a preponderance of the evidence that the person has failed to cooperate in their own rehabilitation or that there is a reasonable expectation the incarcerated person will violate the conditions of parole. This bill revises the standard to provide that an incarcerated person shall be released unless the evidence indicates, by a preponderance of the evidence, that the person has failed to cooperate in his or her own rehabilitation or that there is a substantial likelihood that the person will commit a crime under the laws of this State if released on parole at that time. The bill also eliminates parole requirements for incarcerated juveniles, in light of the changes to juvenile parole adopted pursuant to P.L.2019, c.363.

The bill limits the use of parole revocation and reincarceration by changing the standards for making those determinations. The bill outlines the hearing process, the standards applied at each hearing, the sanctions and other consequences that may be imposed when a violation is sustained, and the consequences for a parolee's failure to appear at a hearing. The bill provides that a person who is denied parole is to be released on the new parole eligibility date unless the parole board determines, by a preponderance of the evidence, that there is a substantial likelihood that the incarcerated person will commit a crime if released on parole.

Early Discharge from Parole

The bill also expands eligibility for early discharge from parole.

Under current law, a parolee may be discharged prior to the expiration of the full maximum term for which the parolee was sentenced if the parolee has made satisfactory adjustment, and made full payment of any fine or restitution.

The bill establishes a process for the supervising parole officer to request the early discharge of a parolee who: is in compliance with all conditions of parole supervision; has demonstrated positive adjustment through adherence to the parolee's individual parole plan; is not serving a term of parole supervision pursuant to subsection c. of N.J.S.A.2C:43-7.2, or subsection b. of N.J.S.A.2C:7-2, and does not pose a risk to public safety. The supervising officer is required to request the early discharge of a parolee who meets these criteria. The bill establishes a schedule for when the request for discharge is to be made, and requires the Parole Board to make reasonable efforts to notify a victim that a parolee is to be discharged.

Under the bill, unless early discharge is prohibited by a court order or is otherwise prohibited by law, early discharge is to be granted to a parolee who is in compliance with the standards established under the bill. The bill also creates a presumption that early discharge is to be granted to a parolee for whom a request is submitted by the parole officer. However, the bill clarifies that the provisions are not to be construed to limit the State Parole Board's authority to modify a defendant's period of parole supervision or discharge of a parolee.